

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,	:	
	:	<b><u>ORDER DENYING BAIL</u></b>
-against-	:	
	:	19 Cr. 742 (AKH)
CHEALIQUE CURRY,	:	
	:	
Defendant.	:	
	:	
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ALVIN K. HELLERSTEIN, U.S.D.J.:

Defendant Chealique Curry once again seeks pretrial release under 18 U.S.C. § 3142(i). Curry is currently detained pending trial on a charge of possessing a firearm after having been convicted of a felony. He seeks temporary release due to an asthmatic condition placing him at risk for severe complications from coronavirus. On April 30, 2020, I first denied bail. ECF No. 37. I held that the Government had satisfied its burden of showing, from Curry's prior convictions, that he posed a danger to the community, and from Curry's history of failing to report to parole officers and appear for court dates, that he posed a risk of flight. I also found temporary release inappropriate because Curry did not have a stable residence or custodian. Curry renewed his application on the basis that his cousin, Angelique Curry, has come forward to act as his custodian and allow him to live in her home. I held a hearing on Curry's motion on June 29, 2020, and I ordered a review by Pretrial Services. Based on review of the proposed conditions of release, I deny Curry's renewed motion.

Although Angelique Curry is an upstanding and law-abiding person, she works outside the home seven days a week and cannot perform the duties and responsibilities of a custodian. Nor would it be proper to impose that responsibility on her 20-year old son. Since, for the reasons stated in my prior order, there is no condition or set of conditions that could

assure Defendant's presence at all court dates or that he doesn't pose a danger to the community, and Angelique Curry is not an "appropriate person," 18 U.S.C. § 3142(i), to serve as custodian of an individual with Defendant's history, Defendant's motion must be denied.

The Clerk is directed to close the open motion (ECF No. 40).

SO ORDERED.

Dated: July 28, 2020  
New York, New York

/s/ Alvin K. Hellerstein  
ALVIN K. HELLERSTEIN  
United States District Judge